

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 fax 212.336.2222 www.pbwt.com

March 05, 2010

By ECF and Federal Express

Andrew D. Schau
Partner
(212) 336-2546
adschau@pbwt.com

Chambers of the Honorable Patti B. Saris
United States District Court for the District of Massachusetts
John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02210

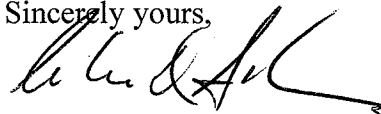
**Re: *In re Pharmaceutical Industry Average Wholesale Price Litigation*
MDL No. 1456, Civil Action No. 01-12257-PBS**

Dear Judge Saris:

We represent the J&J Defendants in the above-referenced matter. I am writing to inform you of supplemental authority in support of the J&J Defendants' Post-Remand Motion for Summary Judgment Against Class 1 Residents of the District of Columbia and States Other Than the Commonwealth of Massachusetts [Dkt. # 6671], which is currently pending before Your Honor and is scheduled for oral argument on March 31, 2010.

On February 25, 2010, the California Court of Appeal issued a decision in *Pfizer, Inc. v. Superior Court of Los Angeles County*. The decision reiterates that a class representative proceeding on a claim of misrepresentation under California Civ. Code § 17200 must demonstrate actual reliance on the allegedly deceptive or misleading statements. (Slip. Op. at 9, 12.) A copy is enclosed for your convenience.

Sincerely yours,



Andrew D. Schau

Enclosure

Cc: All counsel by LNFS